

Serial No. 10/790,861

Docket No.: 1293.1279C2

REMARKS

In accordance with the foregoing, claims 16, 17, and 23 have been amended. Claims 16, 17, 19-23 and 25-29 remain pending. No new matter is presented in this Amendment.

SUPPLEMENTAL COMMENTS ON PATENTABILITY

In contrast to applicant's Prior Art (Figs 1-4), the prior art of record contains no disclosure of wobbles of the user data area and the lead-out area. This is made clear by, among other things, the fact that the insert of FIG. 1, which illustrates a lead-out area, lacks the illustration of the wobbles 135 that are shown in the insert of the lead-out area of FIG. 5. Since the prior art of record cited by the Examiner does not disclose discriminating wobbles of the user data area and the lead out area, the combination of claimed features is not disclosed in the prior art of record. Thus, claim 16 is patentably distinguished from the prior art of record. Therefore, the rejection of claim 16 is believed to be overcome.

The remaining claims remain allowable for at least reasons previously presented.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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